

Approved First Reading - February 3, 2022
Public Hearing - March 4, 2022
Proposed Second Reading - March 4, 2022

AN ORDINANCE TO AMEND CHAPTER 160, ZONING,
OF THE CODE OF THE TOWN OF FENWICK ISLAND, DELAWARE
SECTIONS 160-5 (B) AND 160-5 (C) RELATING TO MECHANICAL EQUIPMENT

WHEREAS, the Town Council of the Town of Fenwick Island desires for the purpose of promoting health, safety and general welfare of the inhabitants of the Town of Fenwick Island, Delaware;

BE IT ORDAINED by the Town Council of the Town of Fenwick Island, in session met, a quorum pertaining at all times thereto, in the manner following:

Section 1. Chapter 160, Section 160-5 (B) of the Code of the Town of Fenwick Island shall be amended by adding a new subsection (4) as follows:

(4) Mechanical equipment located on the roof of a building shall be screened from view with screening that has openings constituting between 20% and 30% of the total surface area of the screening to provide for the flow-through of air. A detailed design drawing of the mechanical equipment, together with any required screening, shall be submitted with the application for a building permit.

Section 2. Chapter 160, Section 160-5 (C) (4) of the Code of the Town of Fenwick Island shall be amended to provide as follows:

Section 160-5 (C) (4). Any mechanical equipment shall be prohibited in the side yard setbacks except that, in the case of corner lots, with respect to the side setback adjacent to the side street, there shall be permitted an encroachment of no more than four feet into the 15-foot setback for such mechanical equipment. Any mechanical equipment shall be prohibited in the rear setback. Any mechanical equipment shall be prohibited in any area which is less than 15 feet from the front property line. Mechanical equipment, whether located in the rear yard, front yard or corner side setback shall be screened from view with screening that has openings constituting between 20% and 30% of the total surface area of the screening to provide for the flow-through of air. A detailed design drawing of the mechanical equipment, together with any required screening, shall be submitted with the application for a building permit.